

\* Filed in open court 3/15/06 (EW)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

[W.D.N.Y. Crim. Act. No. 05-M-130]

Case # 06-31M (MPT)

DANIEL MORALES LOPEZ  
A/K/A ROBERTO ORELLANA MEJIA  
A/K/A LUIS ANTONIO GARCIA  
ALGARIN  
A/K/A RONDOLFO ALONZO ALMANZA:

Defendant.

**MOTION FOR DETENTION HEARING**

**NOW COMES** the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because case involves (**check all that apply**):

- ☐ Crime of violence (18 U.S.C. § 3156)
- ☐ Maximum sentence life imprisonment or death
- ☐ 10+ year drug offense
- ☐ Felony, with two prior convictions in above categories
- ☒ Serious risk defendant will flee
- ☐ Serious risk obstruction of justice

2. **Reason For Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure (**check one or both**):

- ☒ Defendant's appearance as required
- ☐ Safety of any other person and the community

3. **Rebuttable Presumption**. The United States WILL NOT invoke the rebuttable presumption against defendant under § 3142(e). (If yes) The presumption applies because (**check one or both**):

☐ Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c)

☐ Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing**. The United States requests the court conduct the detention hearing,

☐ At first appearance

☒ After continuance of 3 days (not more than 3).

5. **Temporary Detention**. The United States request the temporary detention of the defendant for a period of 10 days (not more than 10) so that the appropriate officials can be notified since (**check 1 or 2, and 3**):

1. At the time the offense was committed the defendant was:

☐ (a) on release pending trial for a felony;

☐ (b) on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense;

☐ (c) on probation or parole for an offense.

☒ 2. The defendant is not a citizen of the U.S. or lawfully admitted for permanent residence.

☐ 3. The defendant may flee or pose a danger to any other person or the community.

6. Other Matters.

DATED this 15<sup>th</sup> day of March, 2006.

Respectfully submitted,

COLM F. CONNOLLY  
United States Attorney

BY: Christopher J. Burke  
Christopher J. Burke  
Assistant United States Attorney